

U.S. Patent Application Serial No. 10/710,425
Response filed April 7, 2007
Reply to OA dated January 11, 2007

REMARKS

Claims 1 - 18 are currently pending in this patent application, claims 1 and 13 - 18 being independent claims.

It is believed that this Response is fully responsive to the Office Action dated January 11, 2007.

Claims 1, 2, 4 and 9 - 18 stand rejected under 35 USC §102(b) based on Myr (U.S. Patent Publication No. 2001/0029425). The applicant respectfully request reconsideration of this anticipation rejection.

The Examiner relies on Myr's paragraph [0145] and Figure 14. However, such disclosures in Myr are merely directed to a database that stores speed coefficients obtained by statistically processing travel time according to a number of categories (i.e., road type, day of the week, month in the year or the like). Myr however lacks any teaching of a date classification modifier adapted to modify the plurality of pieces of date classifying information to change the date classification information.

At this time, the applicant and his undersigned representative respectfully acknowledge, with appreciation, Examiner Tan Q. Nguyen's taking the time to conduct a telephone conference with the undersigned on April 3, 2007. Also, the applicant's undersigned representative thank Mr. Nguyen for his courtesy during the conference.

In the telephone conference, the undersigned pointed out that with the applicant's claimed invention, even when an extraordinary or irregular event happens, the traffic information in accordance with the date classification in relation to the extraordinary or irregular event can be obtained; thereby, improving the accuracy of the traffic condition predicting information. Although Myr's Figure 14 (and the description thereof in Myr's paragraph [0145]) discuss the information related to days, the information relate to travel times or speed coefficients based on the statistical processing of travel time depending on a number of categories (e.g., road type, day of the week, etc.).

Moreover, the Examiner was respectfully referred to paragraph [0126] of the applicant's specification (the copy thereof, as electronically filed). The Examiner was specifically referred to the applicant's calendar modifying section 190, which modifies a classification ID number of any selected date of any of the calendar templates 20 upon the occurrence of a traffic jam recognition. That is, as explained to the Examiner in the conference, Myr lacks the claimed date classification modifier in which, as explained in lines 13 - 16, paragraph [0126], modifies the classification ID number of any selected date of any of the calendar templates.

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Such modification of the classification ID number, associated with certain conditions (e.g., traffic jam), of any date selected by the navigation device is lacking in the Myr reference.

In view of the above, the applicant respectfully submits that not all of the claimed elements or features are found in exactly the same situation and united in the same way to perform the identical function in Myr's device or system. Thus, there can be no anticipation under 35 USC §102(b) of the applicant's claimed invention based on the teachings of Myr.

In view of the above, the withdrawal of the outstanding anticipation rejection under 35 USC §102(b) based on Myr (U.S. Patent Patent Publication No. 2001/0029425) is in order, and is therefore respectfully solicited.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper to Deposit Account No. 01-2340.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Mel R. Quintos', with a long horizontal flourish extending to the left.

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